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Attorneys for Defendants
Nth Connect Telecom, Inc. and Steven Chen

UNITED STATES DISTRICT COURT
CALIFORNIA NORTHERN DISTRICT (SAN JOSE)

VLADIMIR A. BALAREZO, individually and)
on behalf of others similarly situated)

Plaintiff,)

vs.)

NTH CONNECT TELECOM INC., and)
STEVEN CHEN,)

Defendants.)

Case No. C 07 05243 JF (PVT)

NOTICE OF MOTION AND MOTION TO
APPEAR TELEPHONICALLY AT
HEARING ON MOTION TO COMPEL;
DECLARATION OF GRANT A. CARLSON
IN SUPPORT THEREOF

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT: Defendants Nth Connect Telecom Inc. and Steven Chen
hereby move this Court for permission to appear telephonically at the hearing on plaintiffs' Motion
to Compel Production of Documents, which is set for hearing on Tuesday, July 1, 2008 at 10:00
a.m., before the Honorable Patricia V. Trumbull in Courtroom 5 of the above entitled court.

This motion is made pursuant to Local Rule 7-11, which provides the basis for motions for
administrative relief, and on Federal Rules of Civil Procedure, Rule 1. The grounds for this motion
are that the defendants believe the briefs submitted in support and in opposition to the motion to
compel fully brief the issues, and appearing personally in Northern California at the hearing on this
motion will impose an unnecessary expense on defendants. Plaintiffs' counsel has no objection to

1 the requested relief.

2 This motion is based upon this notice of motion, the attached memorandum of points and
3 authorities and declaration of Grant A. Carlson.

4 Dated: June 23, 2008

5 Friedman, Enriquez & Carlson, LLP

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7 By: /s/
8 Grant A. Carlson, Esq.
9 Attorneys for Defendants
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DECLARATION OF GRANT A. CARLSON

I, Grant A. Carlson, declare under penalty of perjury the foregoing is true and correct.

1. I am an attorney for the law firm of Friedman, Enriquez & Carlson, LLP, attorneys of record for defendants Nth Connect Telecom Inc. and Steven Chen. I am licensed to practice in the State of California. This declaration is based on personal knowledge.

2. I make this declaration in support of the motion of Defendants Nth Connect Telecom Inc. and Steven Chen to appear telephonically at the hearing on plaintiffs' motion to compel, which is set for July 1, 2008 at 10:00 a.m. before the Honorable Patricia V. Trumbull.

3. This request is made pursuant to the Northern District's Civil Local Rule 7.11 and Federal Rules of Civil Procedure, Rule 1.

4. Good cause exists for the continuance, because (1) the motion at issue has been fully briefed, (2) there are no evidentiary issues for the hearing, (3) counsel will be able to present the same arguments by phone as in person, and (4) a telephonic appearance will help avoid air travel and related expenses.

5. Plaintiff has no objection to the requested relief. On June 23, 2008, before we filed this motion, my associate, Dana Butler, sent plaintiffs' counsel an email asking if they objected to defendants' counsel appearing telephonically, and they had none. A true and correct copy of the email exchange is attached hereto as Exhibit "A."

I declare under penalty of perjury under the laws of the State of California and the Federal Government that the foregoing is true and correct.

Dated: June 23, 2008

/s/

Grant A. Carlson